



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

EARL VENNINGS JR.,
Plaintiff,

vs.

ANTWON CARTER and RICHARD GERTEN,
Defendants.

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CIVIL ACTION NO. 2:19-cv-2543-MGL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S COMPLAINT WITH PREJUDICE
AND WITHOUT ISSUANCE AND SERVICE OF PROCESS**

Plaintiff Earl Vennings Jr. (Vennings) brought this action under 42 U.S.C. § 1983. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting the complaint be dismissed with prejudice and without issuance and service of process. The Magistrate Judge prepared the Report in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on February 4, 2020, and Vennings filed his objections on February 13, 2020. Having carefully reviewed the objections, the Court holds them to be without merit. It will therefore enter judgment accordingly.

In lieu of making specific objections to the Report, Vennings offers nothing more than conclusory allegations. As such, the Court will overrule the objections.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Vennings's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of this Court the complaint is **DISMISSED WITH PREJUDICE** and without issuance and service of process.

IT IS SO ORDERED.

Signed this 27th day of February, 2020, in Columbia, South Carolina.

/s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Vennings is hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.